

07/14/98

J0447 U.S. PTO

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**(Only for new nonprovisional applications
under 37 CFR 1.53(b))

Attorney Docket No.:

D/95213D1

Total Pages:

First Named Inventor or Application Identifier

Michael J. Nickerson

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09/115313

07/14/98

APPLICATION ELEMENTSSee MPEP Chapter 600 concerning
utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 202311. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee
processing)2. ☒ Specification (incl. claims) (Total Pages: 33)3. ☒ Drawing(s) (35 USC 113) (Total Sheets: 8)☐ Informal ☒ Formal4. ☒ Oath or Declaration (Total Pages: 2)a. ☐ Newly executed ☐ Unexecuted
(original or copy)b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
(Note Box 5 below)☐ i. DELETION OF INVENTOR(S)
Signed statement attached deleting
inventor(s) named in the prior application,
see 37 CFR 1.63(d)(2) and 1.33(b).5. ☒ Incorporation By Reference
(usable if Box 4b is checked)
The entire disclosure of the prior application, from
which a copy of the oath or declaration is supplied
under Box 4b, is considered as being part of the
disclosure of the accompanying application and is
hereby incorporated by reference therein.6. ☐ Microfiche Computer Program (Appendix)7. Nucleotide and/or Amino Acid Sequence Submission
(If applicable, all necessary)a. ☐ Computer Readable Copy
b. ☐ Paper Copy (Identical to computer copy)
c. ☐ Statement verifying identity of above copies**ACCOMPANYING APPLICATION PARTS**8. ☐ Assignment Papers (cover sheet & document(s))9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)10. ☐ English Translation Document (if applicable)11. ☐ Information Disclosure ☐ Copies of IDS
Statement (IDS)/PTO-1449 Citations12. ☒ Preliminary Amendment13. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)14. ☐ Small Entity ☐ Statement filed in prior application,
Statement(s) Status still proper and desired15. ☐ Certified Copy of Priority Document(s)
(If foreign priority is claimed)16. ☐ Other:17. ☒ If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:
☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No: 08/584,583**18. CORRESPONDENCE ADDRESS**☒ Same as prior application☒ Correspondence address below

NAME Ronald Zibelli

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COUNTRY U.S.A.

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19. ☒ Cancel in this application original claims: 8-13 and 20-31 of the prior application before calculating the filing fee. (At least one original independent claim is retained for this filing).

20. ☒ The filing fee is calculated below:

| CLAIMS AS FILED, LESS ANY CLAIMS CANCELED BY ABOVE-INDICATED AMENDMENT(S) | | | | |
|---|------------------|------------------|----------|------------------|
| (1) FOR | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
| TOTAL CLAIMS (37 CFR 1.16(c)) | 12 - 20 = | 0 | x \$ 22 | = \$0.00 |
| INDEPENDENT CLAIMS (37 CFR 1.16(b)) | 2 - 3 = | 0 | x \$ 82 | = \$0.00 |
| MULTIPLE DEPENDENT CLAIMS (IF APPLICABLE) (37 CFR 1.16(d)) | | ANY - - 0 | \$ 270 | = \$0.00 |
| BASIC FEE (37 CFR 1.16(a)) | | | | \$ 790.00 |
| TOTAL | | | | = \$ 790.00 |

21. ☒ The Commissioner is hereby authorized to charge any filing or prosecution fees which may be required, under 37 CFR 1.16, 1.17, and 1.21 (but not 1.18), or to credit any overpayment, to Xerox Corporation, Account No. 24-0025. An additional copy of this form is enclosed.

22. ☒ This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.

23. ☒ Amend the specification by inserting before the first line the sentence:
--This application is a ☐ continuation ☐ continuation-in-part ☒ divisional
of Application(s) No(s). 08/584,583, filed January 11, 1996.--

24. ☐ A CIP declaration is enclosed.

25. ☒ Power of Attorney

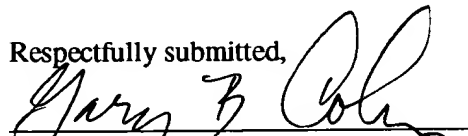
- a. ☐ The power of attorney appears in the original papers of the enclosed prior application.
b. ☒ Enclosed is a copy of the declaration and power of attorney from the enclosed prior application.
c. ☐ A new declaration with power of attorney is enclosed.

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Attorney Docket No.: D/95213D1

26. ☐ The following inventors named in the prior application are deleted per 37 CFR 1.53(b)(1), 1.63(d)(2) and 1.33 (b):
27. ☐ This application is adding one or more inventors under 37 CFR 1.48 to a previously executed application, with an enclosed: petition, fee, newly executed declaration from all inventors, and written consent of the assignee.
28. ☐ This application claims the priority benefit of one or more Provisional Application No(s). and the first sentence of this application has been or will be amended to so indicate.
29. ☒ Priority is claimed from U.S. Patent Application Serial No. 08/584,583 filed January 11, 1996. (reinsert all previous priority claims for the entire chain of any prior applications).
30. ☐ Other paper(s) enclosed:

Respectfully submitted,



Gary B. Cohen

Signature per 37 CFR 1.33 & 34

Date: 7/14/1998

Registration No. 33,127

Telephone No. 716-423-6612

08/14/98 10:00 AM